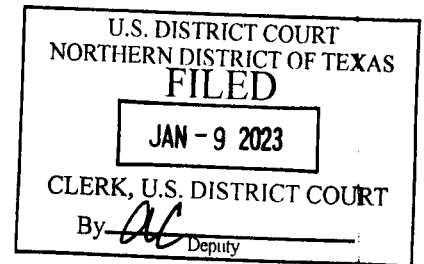


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



WILLIAM SHANE HICKS,

Petitioner,

v.

DIRECTOR, TDCJ-CID,

Respondent.

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2:22-CV-019-Z-BR

**ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
AND  
DENYING PETITION FOR A WRIT OF HABEAS CORPUS**

Before the Court are the Findings, Conclusions, and Recommendation (“FCR”) of the United States Magistrate Judge to dismiss the Petition for a Writ of Habeas Corpus. *See generally* ECF No. 11. No objections to the FCR have been filed. After making an independent review of the pleadings, files, and records, the Court concludes that the FCR is correct. The Court **ADOPTS** the FCR and **DISMISSES WITH PREJUDICE** Petition for a Writ of Habeas Corpus as time-barred.

Considering the record and pursuant to Federal Rule of Appellate Procedure 22(b), Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts, and 28 U.S.C. § 2253(c), the Court denies a certificate of appealability because Petitioner has failed to make “a substantial showing of the denial of a constitutional right.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see also Hernandez v. Thaler*, 630 F.3d 420, 424 (5th Cir. 2011). The Court **ADOPTS** and incorporates by reference the Magistrate Judge’s FCR in support of its finding that Petitioner has failed to show: (1) that reasonable jurists would find this Court’s “assessment of the constitutional claims debatable or wrong”; or (2) that reasonable jurists would find “it debatable

whether the petition states a valid claim of the denial of a constitutional right” and “debatable whether [this Court] was correct in its procedural ruling.” *Slack*, 529 U.S. at 484.

**SO ORDERED.**

January 7, 2023

A handwritten signature in black ink, appearing to read 'Matthew J. Kacsmarik', written over a horizontal line.

MATTHEW J. KACSMARYK  
UNITED STATES DISTRICT JUDGE